

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1

In Re:

Case No.: \_\_\_\_\_

Chapter: \_\_\_\_\_

Judge: \_\_\_\_\_

### NOTICE OF MORTGAGE FORBEARANCE

The undersigned is the Attorney for Creditor \_\_\_\_\_ in this matter. On or about \_\_\_\_\_, 2020, the Creditor was advised that the Debtor(s)' mortgage loan ending in \_\_\_\_\_ ("subject mortgage loan"), secured by real property described as \_\_\_\_\_, has been impacted by COVID-19. Pursuant to State and/or Federal guidelines, a forbearance has been offered, the terms of which are as follows:

1. The parties agree to a forbearance period of \_\_\_\_\_ (enter number of days) and have elected to not tender mortgage payments to Creditor that would come due on the subject mortgage loan starting \_\_\_\_\_(mm/dd/yy) through \_\_\_\_\_(mm/dd/yy).
2. Debtor(s) will resume mortgage payments beginning \_\_\_\_\_ (mm/dd/yy) and will be required to cure the delinquency created by the forbearance period ("forbearance arrears").

3. The payment amount currently is \$\_\_\_\_\_.

4. The Creditor, at this time, does not waive any rights to collect the payments that come due during the forbearance period or any payments that were due and owing prior to the forbearance period. Creditor does not waive its rights under the terms of the note and mortgage or under other applicable non-bankruptcy laws and regulations, including, but not limited to, RESPA, and the right to collect on any post-petition escrow shortage.

5. The Creditor does not waive its rights to seek relief from the automatic stay for reasons other than non-payment of the mortgage, including, but not limited to, a lapse in insurance coverage or payment of property taxes.

6. The Debtor(s) do not waive any rights upon expiration of the forbearance period. Prior to the expiration of the forbearance period, however, the Debtor(s) must take the following affirmative steps to address the status of the subject mortgage loan including, but not limited to: (a) bringing the account post-petition current; (b) requesting extension of the forbearance period; (c) applying for loss mitigation; and/or (d) amending the Chapter 13 Plan.

7. Any objection to this Notice must be filed and served not later than 14 days after the filing of the Notice. The Court may conduct a hearing on the objection.

**This Notice is intended to disclose a temporary forbearance of the Debtor(s)' obligation to remit post-petition payments for the forbearance period. Nothing within this Notice should be construed to alter any rights, duties, or deadlines that are not related to the remittance of post-petition mortgage payments.**

Date: October 2, 2020

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Maria Cozzini, Esq.

*new. 5/2020*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)

Stern, Lavinthal & Frankenberg, LLC  
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Attorneys for Secured Creditor,  
Carrington Mortgage Services, LLC  
as servicing agent for Bank of America,  
N.A.  
By: Maria Cozzini, Esq.

In Re:

Fayiah P. Johnson

Debtor

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY  
TRENTON VICINAGE

Chapter 13

Case No. 17-34273-MBK

**CERTIFICATION OF SERVICE**

1. I, Angela Lisa:

☐ represent the \_\_\_\_\_ in the above-captioned matter.

☒ am the secretary/paralegal for Stern, Lavinthal & Frankenberg, LLC, who represents the Secured Creditor in the above captioned matter.

☐ am the \_\_\_\_\_ in the above case and am representing myself.

2. On October 2, 2020, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below: ***Notice of Mortgage Forbearance***

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: October 2, 2020

/s/ Angela Lisa  
Angela Lisa

| Name and Address of Party Served   | Relationship of Party to the Case | Mode of Service  |
|--|-----------------------------------|--|
| Fayiah P. Johnson<br>451 S. Logan Ave.<br>Trenton, NJ 08629                            | Debtor                            | <input type="checkbox"/> Hand-delivered<br><input checked="" type="checkbox"/> Regular mail<br><input type="checkbox"/> Certified mail/RR<br><input type="checkbox"/> E-mail<br><input type="checkbox"/> Notice of Electronic Filing (NEF)<br><input type="checkbox"/> Other _____<br>(as authorized by the court *) |
| Thomas G. Egner<br>McDowell Law, PC<br>46 West Main Street<br>Maple Shade, NJ<br>08052 | Debtor's Counsel                  | <input type="checkbox"/> Hand-delivered<br><input type="checkbox"/> Regular mail<br><input type="checkbox"/> Certified mail/RR<br><input type="checkbox"/> E-mail<br><input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)<br><input type="checkbox"/> Other _____<br>(as authorized by the court *) |
| Albert Russo<br>Standing Chapter 13 Trustee<br>CN 4853<br>Trenton, NJ 08650-4853       | Trustee                           | <input type="checkbox"/> Hand-delivered<br><input type="checkbox"/> Regular mail<br><input type="checkbox"/> Certified mail/RR<br><input type="checkbox"/> E-mail<br><input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)<br><input type="checkbox"/> Other _____<br>(as authorized by the court *) |

\*May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.